

PSC No: 120 - Electricity
New York State Electric and Gas Corporation
Initial Effective Date: December 1, 2003

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Revision: 0
Superseding Revision:

GENERAL INFORMATION

16. Customer Advantage Program - General Retail Access: (Cont'd.)

G. Slamming Prevention: (Cont'd.)

5. ESCOs are required to retain, for at least six (6) years, written, taped, or third party verification records of all Eligible Customer authorizations for, including, but not limited to, initial enrollment, customer information, and change of ESCO, and other such information as set forth in the Operating Agreement.

ESCOs that slam Eligible Customers without the customers' authorizations will be fully responsible for all wrongful charges applied to the customers' bills and for all reasonable costs incurred by NYSEG. In addition, such ESCOs eligibility to serve Eligible Customers in New York State may be terminated by the Commission and/or a monetary penalty may be imposed.

H. ESCO/DC Complaint or Dispute Resolution Process:

The following process will be followed to address all retail access disputes/complaints between ESCOs/DCs and NYSEG with respect to the Program. Each ESCO/DC and NYSEG shall designate specific personnel to be responsible for responding to complaints and disputes under this process.

1. Any ESCO/DC or NYSEG may initiate the dispute resolution process by presenting a written description of the dispute/complaint, and a proposed resolution, to the other party(ies) involved in the dispute, sent in a manner that will verify its receipt.
2. The other party(ies) must, as soon as possible, but in no case more than fifteen (15) calendar days following receipt of the dispute/complaint, provide a written response to the complaining party(ies), with an alternative resolution proposal if the complaining party's(ies') proposed resolution is deemed unacceptable; or, with the results of any informal resolution that may have been reached with the other party(ies) prior to that date.
3. If the initial exchange of written material (and perhaps verbal discussions) does not resolve the dispute/complaint, the complaining party(ies) may request a meeting(s) to discuss the matter further. The responding party(ies) must agree to such a meeting(s) to be held within fifteen (15) calendar days following the request.
4. The parties may agree to use alternative dispute resolution techniques with mutually agreed-upon time frames that may differ from those defined in this Dispute Resolution Process.

ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Binghamton, New York